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From: Hutchinson, Marcella
Sent: Tue 6/25/2013 8:40:50 PM
Subject: FW: [West Slope] Proposed bill excites Animas cleanup group

FYI –local paper, more details on Good Sam and ARSG

From: west-slope@googlegroups.com [mailto:west-slope@googlegroups.com] **On Behalf Of** Loretta Lohman
Sent: Sunday, June 23, 2013 2:38 PM
To: julie.annear@state.co.us; west-slope@googlegroups.com
Subject: [West Slope] Proposed bill excites Animas cleanup group

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Proposed bill excites Animas cleanup group

Measure would protect ‘good Samaritans’ from litigation

By Chase Olivarius-McAllister Herald staff writer

SILVERTON – U.S. Rep. Scott Tipton has promised he will introduce legislation in the House to protect “good Samaritans” – meaning vigilante river cleaners – from being sued for their good works.

The announcement came at a meeting of the Animas River Stakeholders Group on Thursday in Silverton’s City Hall. The stakeholders are attempting to clean up pollution caused by the area’s abandoned mines.

Darlene Marcus of Tipton’s Southwest Colorado field office said that while the legislation still was being drafted, it likely would resemble the good Samaritan protections that have been doggedly if not yet successfully championed by U.S. Sen. Mark Udall, D-Colo.

Proponents of the legislation say it would remove one of the major legal roadblocks stymieing attempts to improve water quality in densely polluted rivers such as Cement

Creek, which flows into the Animas at Silverton.

Because efforts to clean up the state's most toxic rivers often are embroiled in litigation between government agencies such as the Environmental Protection Agency and mining companies, environmentalist interventions are risky for third parties, whose volunteerism might make them liable for the very pollution they're trying to clean up.

Udall announced in December that the EPA would loosen restrictions on "good Samaritans" looking to clean up abandoned hard-rock mines throughout the West.

But the Animas Stakeholders said in January that would help them only to a limited extent.

On Thursday night, support for good Samaritan legislation was robust in the meeting of the Animas River Stakeholders Group, which has navigated an interminable, deeply entangled litigation between various parties, including the EPA and Sunnyside Gold Corp., to try to clean up Cement and Mineral creeks, which feed into the Animas River.

Bill Simon, co-coordinator of the Animas River Stakeholders Group, noted at Thursday night's meeting that, over the years, 12 similar bills had languished in Congress.

"Unfortunately, that hasn't gone anywhere – the national bills have never passed. However, there is hope again," he said, citing the future introduction of Tipton's bill.

Marcus said Tipton's office was still hoping that fellow Colorado Congressman Doug Lamborn, R-Colorado Springs, would lend his support. She said there was a chance the bill would change if Lamborn became a co-sponsor.

"Personally, I think if Tipton were to introduce legislation and get it through the House, it could make a big difference," Peter Butler, co-coordinator of the Animas River Stakeholders Group, told stakeholders earlier in the day.

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